UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,841	04/10/2001	Takayuki Sugiura	1466.1036	7530

				EXAMINER
21171	7590	11/16/2004		EBRAHIMI DEHKORDY, SAEID

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ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/828,841	SUGIURA ET AL.
		Examiner	**Art Unit**	
		Saeid Ebrahimi-dehKordy	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *8/13/02, 4/1/01*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8 and 10-11are rejected under 35 U.S.C. 102(e) as being anticipated by Teng et

al (U.S. patent 6,327,045)

Regarding claim 1 and 11 Teng et al disclose: A print control method for

transmitting print data from a client to a print server managing a printer so as to print by

the printer in a network environment (please note Fig.1, column 5 lines 43-54) the

method comprising the steps of: using HTTP as a communication protocol between the

client and the print server (please note column 6 lines 63-67 and column 7 lines 1-8) in

the client (please note Fig.2 item 20 the client, column 6 lines 22-23) adding a header

including information about the printer to be used to the print data so as to transmit the

print data (please note column 6 lines 24-57 also column 6 lines 43-63) in the print

server (please note Fig.2 item 49, column 6 lines 64-67) receiving the print data and

transmitting the print data to the printer in accordance with the header of the print data

(please note Fig.2, column 6 lines 63-67 and column 7 lines 1-5) and in the printer

printing the print data (please note column 7 lines 6-9).

Regarding claim 2 Teng et al disclose: A print control method for printing by a printer managed by a print server in a network environment (please note Fig.1, column 5 lines 43-54) the method comprising the steps of: adding a header including information about the printer to be used to the print data (please note Fig.2, column 6 lines 22-35 and also column 6 lines 43-67 and column 7 lines 1-8 also column 6 lines 43-63) in the print server (please note Fig.2 item 49, column 6 lines 64-67) receiving the print data from a client requesting for print using HTTP as a communication protocol (please note Fig.2, column 6 lines 63-67 and column 7 lines 1-5) transmitting the print data to the printer in accordance with the header of the print data (please note column 7 lines 1-5) in the printer printing the print data (please note column 7 lines 5-9).

Regarding claim 3 Teng et al disclose: The print control method according to claim 2, wherein the transmitting step includes the step of removing the header of the print data in the print server before transmitting the print data to the printer (please note Fig.4 items 94 and 96, column 7 lines 1-8 and also column 10 lines 5-10).

Regarding claim 4 Teng et al disclose: The print control method according to claim 2, further comprising the steps of monitoring the state of the printer and generating a hypertext describing the state of the printer in the print server (please note column 8 lines 30-40).

Regarding claim 5 Teng et al disclose: The print control method according to claim 2, further comprising the steps of memorizing printer information such as an address a type and a protocol of the printer for each printer and generating the

hypertext describing the printer information in the print server (please note column 8
lines 10-33).

Regarding claim 6 Teng et al disclose: The print control method according to
claim 2, further comprising the steps of memorizing the printer information in the printer
and acquiring the printer information using SNMP as a communication protocol so as to
monitor the state of the printer in the print server (please note column 6 lines 44-55).

Regarding claim 7 Teng et al disclose: A print server for managing a printer in a
network environment (please note Fig.2 items 49 and 50, column 6 lines 4-22)
comprising: HTTP receiving means for receiving print data using HTTP as a
communication protocol (please note column 7 lines 61-67 and column 8 lines 1-34)
and print data transmitting means for transmitting the print data to a printer as an output
target in accordance with a HTTP header of the print data (please note column 6 lines
64-68 and column 7 lines 1-8).

Regarding claim 8 Teng et al disclose: The print server according to claim 7,
further comprising printer monitoring means for monitoring the state of the printer
(please note column 8 lines 10-21) printer information managing means for managing
printer information such as an address of the printer a type of a device and the
communication protocol (please note column 6 lines 22-64) printer information
memorizing means for memorizing the printer information for each printer first hypertext
generating means for generating a hypertext describing the state of the printer second
hypertext generating means for generating a hypertext describing the printer

information, and the print data transmitting means removing the header of the print data

before transmitting the print data to the printer (please note column 6 lines 43-62).

Regarding claim 10 Teng et al disclose: A recording medium that can be read by

a computer having a WWW server function (please note column 7 lines 61-67 and

column 8 lines 1-9) the recording medium storing a program comprising the steps of

using HTTP as a communication protocol so as to receive print data from a client and

transmitting the print data to a printer designated by the client (please note column 6

lines 44-67 and column 7 lines 1-8).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over King (U.S. patent

6,529,286) in view of Teng et al (U.S. patent 6,327,045)

Regarding claim 9 King discloses: A client comprising: printer registering means

for registering and managing printer information acquired from a print server managing

a printer (please note Fig.4, column 5 lines 25-38) the printer information including an

address of the printer (please note column 2 lines 17-23) a type of the printer and a

communication protocol (please note column 6 lines 54-67 and column 7 lines 1-26)

display means for displaying the printer information on a display screen (please note

column 3 lines 46-67 and column 4 lines 1-24) selecting means for selecting the printer

to be used from the printer registering means (please note column 5 lines 25-38).

However King does not quite disclose: and HTTP transmitting means for adding a

header including information about the address of the printer selected by the selecting

means to print data and for transmitting the print data to the print server. On the other

hand Teng et al disclose: and HTTP transmitting means for adding a header including

information about the address of the printer selected by the selecting means to print

data and for transmitting the print data to the print server (please note column 6 lines

44-67 and column 7 lines 1-8). Therefore it would have been obvious to a person of

ordinary skill in art at the time of the invention to modify King's invention according to

the teaching of Teng et al, where Teng et al in the same filed of endeavor teaches the

way the communication data from the host is transmitted through the HTTP protocol to

the server and thereon to the printer for purpose of making he transmission more robust

and internet cooperated.

Contact Information

➢ Any inquiry concerning this communication or earlier communications from the
   examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number
   is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to

5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

Assistant Commissioner for Patents

Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for *formal* communications; please mark

"EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for *informal* or *draft* communications, please label "PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).
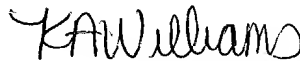
Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
November 5, 2004

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER